

Senate Bill 54

By: Senator Goggans of the 7th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 47-12-82 of the Official Code of Georgia Annotated, relating to salary for district attorneys emeritus, suspension of office upon eligibility for or appointment to an office of profit or trust under the United States Constitution or the Constitution of Georgia, so as to provide for a salary increase; to provide for cost of living increases; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 47-12-82 of the Official Code of Georgia Annotated, relating to salary for district attorneys emeritus, suspension of office upon eligibility for or appointment to an office of profit or trust under the United States Constitution or the Constitution of Georgia, is amended by striking in its entirety subsection (a) and inserting in lieu thereof the following:

"(a) Any person holding office as a district attorney emeritus on July 1, 1990, or who is appointed to such position on or after such date shall receive from the State of Georgia an annual salary of ~~\$15,000.00~~ \$25,000.00 or one-half of the state salary received by such person as a district attorney for the calendar year immediately prior to the person's retirement and resignation as an active district attorney, whichever is the greater amount. Such annual salary shall be paid in equal monthly installments. The annual salary provided for in this subsection shall apply to the calculation of the amount of spouses' benefits under Code Section 47-12-42 as applied to persons receiving such benefits on July 1, ~~1990~~ 2006, and as applied to persons who begin receiving such benefits on or after July 1, ~~1990~~ 2006."

SECTION 2.

Said Code section is further amended by inserting at the end thereof the following:

"(f) As a cost-of-living adjustment, the annual salary received by each person holding office as a district attorney emeritus shall be increased by a percentage not to exceed the average percentage of the general increase in salary as may from time to time be granted to employees of the executive, judicial, and legislative branches of government. Any increase granted pursuant to this subsection shall become effective at the same time that funds are made available for the increase for such employees."

SECTION 3.

This Act shall become effective on July 1, 2006, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2006, as required by subsection (a) of Code Section 47-20-50.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.